

United States District Court

Southern

DISTRICT OF New York

Jeffrey Shavitz

SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

BGA PHARMA, INC.

07 CV 3831
JUDGE CEDARBAUM

TO: (Name and address of defendant)

BGA PHARMA, INC.
285 Davidson Avenue
Somerset, NJ 08873

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Mintz + Gold LLP
470 Park Avenue South
10th Floor North
New York, New York 10016

an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 26 2007

CLERK

DATE

Marcos Quintero
(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE May 2, 2007
NAME OF SERVER (PRINT) Paul Ostensen	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): The Summons & Complaint were served upon Andrew Celli attorney for the defendant, who stated that he was authorized to accept service, and agreed to accept service by email and overnight delivery.

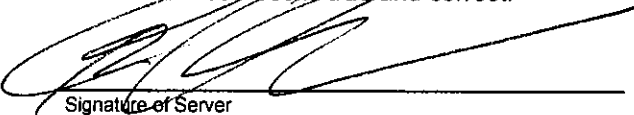
STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on May 2, 2007
Date


Signature of Server

Mintz & Gold LLP

Address of Server

470 Park Avenue South
New York, NY 10016
(212) 696-4848

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.